

Appl. No. 09/629,734
Atty. Docket No. 7730R
Amdt. dated 10/28/04
Reply to Decision on Appeal of 7/29/04
Customer No. 27752

REMARKS

On July 29, 2004, a decision was made on Appeal from the Examiner's Final Rejection, upholding the rejection of claims 1-7 and 10-21 over USP No. 5,494,674 ("Barnett").

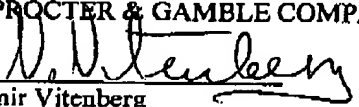
By the present amendment, claim 1 is amended to specifically require that the topical emulsion composition is a two-phase composition that does not form electrical continuity between the insulating external phase and the conductive internal phase. The support for this amendment can be found, for example, at 2:10 *et seq.*

The present invention is directed to a two-phase composition wherein an electrically conductive internal phase is dispersed within an electrically insulating (that is non-conductive) external phase. Barnett does not teach or suggests a method of electrostatically spraying a two-phase composition. Instead, the examples of Barnett, at 8:40-55, disclose single-phase compositions that are electrically conductive.

The Examiner is respectfully requested to reconsider the claim as amended

Respectfully submitted,

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